

A RESOLUTION BY

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) AND ATLANTA PUBLIC SCHOOLS (APS) FOR THE MORNINGSIDE ELEMENTARY SCHOOL SAFE ROUTES TO SCHOOL PROJECT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) has been awarded Safe Route To School (SRTS) federal grant funds for the Morningside Elementary School project (“Project”) (PI# 0009442); and

WHEREAS, GDOT will provide consultant services to cover 100% of the Preliminary Engineering for the Project, using 100% federal funding up to the SRTS award amount for the total construction cost; and

WHEREAS, APS shall certify that Morningside Elementary School shall continue to participate in the Georgia’s SRTS program by developing and implementing a comprehensive SRTS program that includes all Five (5) E’s: Education, Encouragement, Enforcement, Engineering, and Evaluation, per SAFETEA-LU and subject to the GDOT’s evaluation; and

WHEREAS, the City shall be responsible for all costs for the continual maintenance and the continual operations of those portions of the Project located in the public right of way, including any and all sidewalks and the grass strip between the curb and gutter and the sidewalk, within the project limits; and

WHEREAS, APS shall be responsible for all costs for the continual maintenance and the continual operations of those portions of the Project located on school property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor is authorized to execute a Memorandum of Understanding with GDOT and APS for the Morningside Elementary School SRTS project; and future agreements pertaining to this Project.

BE IT FURTHER RESOLVED, that the City shall be responsible for all costs for the continual maintenance and the continual operations of those portions of the Project located in the public right of way.

BE IT FINALLY RESOLVED, that this agreement shall not become binding on the City and the City shall incur no liability upon same until such agreement has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to the Georgia Department of Transportation.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities Committee

Caption: A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) AND ATLANTA PUBLIC SCHOOLS (APS) FOR THE MORNINGSID ELEM EN TARY SCHOOL SAFE ROUTES TO SCHOOL PROJECT; AND FOR OTHER PURPOSES.

Council Meeting Date: September 21, 2009

Requesting Dept.: Department of Public Works

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to authorize the Mayor to enter into a MOU with GDOT for a Safe Routes to School grant project around Morningside Elementary School

2. Please provide background information regarding this legislation.

The City, in conjunction with Atlanta Public Schools, submitted an application to GDOT for the use of federal Safe Route to School funds in December 2008. The Morningside Elementary school project was awarded funding for congressional District 5. This resolution authorizes the Mayor to sign the MOU related to this project. Design work on the project cannot begin until the MOU is executed.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** N/A

(b) **Source Selection:** N/A

(c) **Bids/Proposals Due:** N/A

(d) **Invitations Issued:** N/A

(e) **Number of Bids:** N/A

(f) **Proposals Received:** N/A

(g) **Bidders/Proponents:** N/A

(h) **Term of Contract:** N/A

(l) **Fund Account Center:** N/A

5. **Source of Funds:** N/A

6. **Fiscal Impact:** N/A

7. **Method of Cost Recovery:** .N/A

This Legislative Request Form Was Prepared By: Michele Wynn

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Michele Wynn

Contact Number: (404) 330-6764

Originating Department: Department of Public Works

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: September 1, 2009

Anticipated Committee Meeting Date(s): September 15, 2009

Anticipated Full Council Date: September 21, 2009

Legislative Counsel's Signature: Saul Schultz

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: n/a

CAPTION

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FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by CPO: _____

(date)

Received by LC from CPO: _____

(date) Received by

Mayor's Office: [Signature]

(date)

Reviewed by: [Signature]

(date)

Submitted to Council: 9/4/09

(date)